

06-14-01

CPA/1644 S/

PTO/SB/29 (08-00)  
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## CONTINUED PROSECUTION APPLICATION (CPA)

## REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

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## Address to:

Assistant Commissioner for Patents  
Box CPA  
Washington, DC 20231

Attorney Docket No. of Prior Application	RPMS102CPA
First Named Inventor	Hans Josef Strauss
Examiner Name	G. Ewoldt
Group Art Unit	1644
Express Mail Label No.	EL717749503US

This is a request for a  continuation or  divisional application under 37 CFR 1.53(d),  
 (continued prosecution application (CPA)) of prior application number 09/101,413  
 filed on August 7, 1998, entitled Immunotherapy Using Cytotoxic T Lymphocytes (CTL).

## NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Off. (Apr. 11, 2000).

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant, under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.75(a).

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

- Enter the unentered amendment previously filed on March 28, 2001 under 37 CFR 1.116 in the prior nonprovisional application.
- A preliminary amendment is enclosed.
- This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - DELETE** the following inventor(s) named in the prior nonprovisional application:
   
.....
  - The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- Information Disclosure Statement (IDS) is enclosed:
  - PTO-1449
  - Copies of IDS Citations

[Page 1 of 2]

**Burden Hour Statement:** This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

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01 FC:103  
02 FC:13154.00 CH  
71.00 CH

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS	
	TOTAL CLAIMS (37 CFR 1.16(c) or (i))	23-20* =	3	x \$ 18 ____ =	\$ 54	
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	1 -3** =	0	x \$ 18 ____ =	0	
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 270.00_ =		
				BASIC FEE (37 CFR 1.16)	710.00	
				Total of above Calculations =	764.00	
	Reduction by 50% for filing by small entity (Note 37 CFR 1.27).					
	* Reissue claims in excess of 20 and over original patent.					
	** Reissue independent claims over original patent.					
	TOTAL =					764.00
6. <input type="checkbox"/> Small entity status: Applicant claims small entity status. See 37 CFR 1.27.						
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 50-1667.						
a. <input checked="" type="checkbox"/> Fees required under 37 CFR 1.16.						
b. <input checked="" type="checkbox"/> Fees required under 37 CFR 1.17.						
c. <input checked="" type="checkbox"/> Fees required under 37 CFR 1.18.						
8. <input type="checkbox"/> A check in the amount of \$ _____ is enclosed.						
9. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.						
10. <input type="checkbox"/> Applicant requests suspension of action under 37 CFR 1.103(b) (fee under 37 CFR 1.17(i) enclosed).						
11. <input type="checkbox"/> New Attorney Docket Number, if desired _____ <i>[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]</i>						
12. a. <input type="checkbox"/> Receipt For Facsimile Transmitted CPA (PTO/SB/29A) b. <input type="checkbox"/> Return Receipt Postcard (Should be specifically itemized, See MPEP 503)						
13. <input type="checkbox"/> Other: _____						
NOTE: The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.						
14. NEW CORRESPONDENCE ADDRESS						
<input type="checkbox"/> Customer Number or Bar Code Label		(Insert Customer No. or Attach bar code label here)		<input type="checkbox"/> or <input type="checkbox"/> New correspondence address below		
Name	Patrea L. Pabst					
	HOLLAND & KNIGHT LLP					
Address	One Atlantic Center					
	1201 West Peachtree Street, Suite 2000					
City	Atlanta	State	GA	Zip Code	30309-3450	
Country	United States	Telephone	(404) 817-8473	Fax	(404) 817-8588	

15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED	
Name (Print/Type)	Patrea L. Pabst
Signature	
Registration No. (Attorney/Agent)	31,284
Date	June 12, 2001

Continuation of U.S.S.N. 09/101,413  
Filed June 12, 2001  
Express Mail Label No. EL 717749503US

O I P E JCL  
JUN 12 2001

**CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.10**

I hereby certify that this Request for Filing a Continuing Prosecution Application and any documents referred to as attached therein are being deposited with the United States Postal Service on this date, June 12, 2001, in an envelope as Express Mail Post Office to Addressee service under 37 C.F.R. 1.10, mailing label number EL 717749503 US, addressed to Box CPA, Assistant Commissioner of Patents, Washington, D.C. 20231.

  
Patrea L. Pabst

Date: June 12, 2001